

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re:

Michael J. Aquilino) Chapter 13
)
) 19-15916 MDC
)
) **Hearing to be Held on November 12, 2020**
) **at 11:00 A.M.**
) **Courtroom 2, 900 Market Street, 2nd**
) **Floor, Philadelphia, PA 19107**

**MOTION TO ABATE PAYMENTS AND
MODIFY PLAN AFTER CONFIRMATION**

To the Honorable Magdeline D. Coleman, Chief Judge United States Bankruptcy Court:
Michael J. Aquilino ("Debtor"), by and through his attorney, Albert J. Scarafone, Jr., Esquire respectfully represents:

1. The above-captioned case was commenced by the filing a Voluntary Petition for Relief under Chapter 13 of Title 11 of the United States Code on September 20, 2019.
2. Debtor's First Amended Chapter 13 Plan was confirmed on March 24, 2020, prior to enactment of the "CARES ACT".
3. Debtor's confirmed plan provides for 100% distribution to unsecured creditors.
4. On September 17, 2020, the Chapter 13 Trustee filed a motion to dismiss for failure to make Plan payments.
5. Debtor has experienced a financial hardship that was directly or indirectly caused by the COVID-19 pandemic. The monthly contribution of debtor's girlfriend was reduced due to the reduction in the number of hours she was able to work as a speech pathologist.
6. Debtor's income is now being supplemented by an increased contribution from his mother.
7. Debtor believes that with this modification, he will be able to complete the chapter 13 plan. The proposed second amended plan is attached hereto and marked as Exhibit "A".

8. Attached hereto as Exhibit "B" is the debtor's amended Schedules "I".
9. Debtor proposed modified plan will continue to pay 100% of unsecured claims.
10. Debtor believes the modified plan meets the requirements of the Bankruptcy Code and is in the best interest of the creditors.

WHEREFORE, Debtor(s) respectfully pray this Honorable Court enter the ORDER attached hereto and made a part hereof.

Respectfully submitted,

/s/ Albert J. Scarafone
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